



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

May 5, 2005

The Honorable Chester Culver
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit:

House File 374, an Act relating to veterans by providing for the establishment of a department of veterans affairs, modifying the definition of veteran for property taxation and certain other purposes, providing for the compensation of members of a county commission of veteran affairs, providing for the issuance of combined hunting and fishing licenses to certain veterans, establishing a hepatitis C awareness program for veterans, concerning funds in an account for a state veterans cemetery, concerning military pay differential, and providing an effective date and retroactive and other applicability dates.

House File 438, an Act relating to assessments associated with soil and water conservation districts, by providing for the deposit of moneys in a fund established by a district's commissioners.

House File 620, an Act relating to the volunteer health care provider program and providing an effective date.

House File 716, an Act relating to the military division and the homeland security and emergency management division of the department of public defense concerning the activation and use of the civil air patrol, the authority of the adjutant general to enter into interstate agreements for use of national guard personnel, and the use of the national incident management system for state emergencies.



The above House Files are hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Vilsack", with a long horizontal flourish extending to the right.

Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House



HOUSE FILE 438

AN ACT

RELATING TO ASSESSMENTS ASSOCIATED WITH SOIL AND WATER
CONSERVATION DISTRICTS, BY PROVIDING FOR THE DEPOSIT OF
MONEYS IN A FUND ESTABLISHED BY A DISTRICT'S COMMISSIONERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 161A.20, unnumbered paragraph 5, Code 2005, is amended to read as follows:

The special tax ~~so~~ levied under this section shall be collected in the same manner as other taxes with ~~like a~~ a penalty for delinquency, ~~with the proceeds therefrom to be kept in.~~ The moneys collected from the special tax and any delinquency penalty shall be deposited in a fund established by the governing body as provided by a resolution adopted by the governing body and delivered for filing with each appropriate county treasurer. Moneys earned as income from moneys in the fund, including as interest, shall remain in the fund until expended by the governing body according to procedures specified in the resolution. If the governing body does not adopt a resolution or deliver the resolution to the county treasurer, the moneys shall be deposited into a separate account in the county's general fund by the appropriate that county treasurer or-treasurers. The account shall be identified by the official name of the subdistrict and expenditures therefrom from the account shall be made on requisition of the chairperson and secretary of the governing body of the subdistrict.

Sec. 2. Section 161A.33, Code 2005, is amended to read as follows:

161A.33 ASSESSMENTS TRANSMITTED.

1. The governing body upon receiving the reports from three appointed appraisers and after holding the hearings shall transmit and certify the amounts of assessments to the respective boards of supervisors which upon receipt of certification from the governing body of the district, make the necessary levy of such assessments as fixed by the governing body upon the land within such subdistrict ~~and all~~. The assessments shall be levied at that time as a tax and shall bear interest at a rate not exceeding that permitted by chapter 74A from that date payable annually except as hereafter provided as to cash payments therefor within a specified time.

2. The assessment so levied under this section together with any accrued interest or delinquency penalty as provided in this chapter shall be kept-in deposited in a fund established by the governing body as provided by a resolution adopted by the governing body and delivered for filing with each appropriate county treasurer. Moneys earned as income from moneys in the fund, including as interest, shall remain in the fund until expended by the governing body according to procedures specified in the resolution. If the governing body does not adopt a resolution or deliver the resolution to the county treasurer, the moneys shall be deposited into a separate account in the county's general fund by the appropriate that county treasurer or-treasurers⁷. The account shall be identified by the official name of the subdistrict and expenditures therefrom from the account shall be made on requisition of the chairperson and secretary of the governing body of the subdistrict.

3. At no time ~~will~~ shall an assessment be made where the benefits accrued to the subdistrict do not exceed the cost of the improvements within the ~~said~~ subdistrict.

Sec. 3. Section 161A.34, Code 2005, is amended to read as follows:

161A.34 PAYMENT TO COUNTY TREASURER.

1. All assessments for benefits shall be levied at one time against the property benefited and when levied and certified by the board or boards of supervisors shall be paid at the office of the county treasurer. Each person ~~or~~

~~corporation~~ shall have the right within twenty days after the levy of assessments to pay the person's ~~or-corporation's~~ assessment in full without interest. The county treasurer shall pay the collected moneys into a fund established by the governing body or an account of the county's general fund as provided in section 161A.33.

2. If any levy of assessments is not sufficient to meet the cost and expenses of organizing and construction apportioned to each owner upon each forty-acre tract or less, additional assessments may be made on the same classification as the previous ones.



CHRISTOPHER C. RANTS
Speaker of the House



JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 438, Eighty-first General Assembly.



MARGARET THOMSON
Chief Clerk of the House

Approved May 5, 2005



THOMAS J. VILSACK
Governor